

SUPREME COURT [868]

OPINIONS, 1886#[ongoing]

33.5 cu. ft.

DESCRIPTION: This series contains the typed, signed copies of opinions of the justices of the Utah Supreme Court. Opinions show the date of filing, name and signature of authoring justice, case title, case number, and the text of the opinion. Opinions are the written decisions of the Court. They typically summarize the facts in the case, the lower court findings, and the issues of law which are in dispute. The opinion will then explain the applicable law, leading to the Court's decision. Opinions typically end with an order which affirms, reverses, or amends the lower court ruling. A reversed or vacated judgment may then be remanded to the lower court for additional proceedings in line with the Supreme Court's ruling.

There are three basic types of opinions. The Court's opinion, also called the majority opinion, reflects the decision of the Court and the Court's reasons for the decision. All cases which are decided have a majority opinion. If the majority opinion is not unanimous, a justice who disagrees may write a dissenting opinion which outlines how he feels the case should have been decided and where the majority opinion strayed. A justice who disagrees with the reasoning in the majority opinion, but accepts the final conclusion, may write a concurring opinion. It is possible to find opinions which concur in part and dissent in part, if there is a complicated case with several issues to be resolved. These are more common in the U. S. Supreme Court and seem very rare in the Utah opinions described here.

ARRANGEMENT: Numerical by case number, except for 92 unnumbered early cases which are chronological by date of filing, at the beginning of the series.

RESEARCH NOTE: Cases must be located by case number. To find a case number, use the Access index for territorial cases. This index includes all party names. For statehood-era cases, search the UTAH REPORTS, series 1481, for the case by finding the year the case

sought was decided and then checking that volume of UTAH REPORTS for the case title in the Table of Cases Reported. The case number is included in the UTAH REPORTS reporting of the opinion.

RELATED RECORDS: UTAH ADVANCED REPORTS, series 17662, is the first published form of the opinions, as an interim to final publication in UTAH REPORTS, series 1481. All three series should contain similar or identical text for the opinions, but additional notes may be included in the UTAH ADVANCED REPORTS and UTAH REPORTS.

PROCESSING NOTE: Processed by Paul Smith in May 1998.

GAPS IN THE SERIES: There are many discontinuities in the case numbers, with approximately 82% of the case numbers 0#7299 represented. The other 18% of case numbers likely include some missing cases and some cases withdrawn or for some other reason not decided by the Court. There are no large groups of case numbers missing from the collection described here.

CONTAINER LIST

Box	Description	Dates*
1	unnumbered early cases	1886#1890
1	0#100	1888#1890
2	101#374	1891#1893
3	376#625	1893#1896
4	626#825	1896#1897
5	826#975	1897#1898
6	976#1140	1898#1899
7	1141#1300	1899#1901
8	1301#1475	1901#1903
9	1476#1675	1904#1906
10	1676#1850	1906#1907
11	1851#2000	1907#1909
12	2001#2150	1909#1911
13	2151#2350	1911#1912
14	2351#2574	1912#1914
15	2576#2800	1914#1916
16	2801#3025	1916#1917
17	3027#3275	1917#1919
18	3276#3500	1919#1920
19	3501#3750	1920#1922
20	3751#3975	1922#1923
21	3976#4200	1923#1925

Box	Description	Dates*
22	4201#4425	1925#1926
23	4426#4650	1926#1928
24	4651#4900	1928#1930
25	4901#5125	1930#1933
26	5127#5375	1932#1934
27	5376#5625	1933#1937
28	5626#5850	1935#1937
29	5851#6125	1937#1940
30	6126#6399	1939#1943
31	6401#6650	1942#1944
32	6651#6950	1944#1946
33	6951#7199	1946#1949
34	7201#7299	1949#1950